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October 27, 2021

Honorable Alison J. Nathan
United States District Judge
United States Courthouse
40 Foley Square
New York, NY 10007

Re: United States v. Ghislaine Maxwell
S2 20 Cr. 330 (AJN)

Dear Judge Nathan:

In response to the Court's Order dated October 22, 2021, regarding the Court's draft preliminary remarks for prospective jurors (Dkt. 366), the government took the opportunity to reargue its request that counsel exercise challenges to the final venire on the last day of jury section (November 19) rather than on November 29. The Court merely invited a discrete response to its proposed address to prospective jury but the government seized the opportunity to reargue.

During the October 21 conference, the defense stated its reasons for preferring November 29, a date when the Court could inquire whether any prospective jury might not be able to be fair or otherwise impacted or influenced by any reference to this case during the 10-day interval that included the Thanksgiving holiday. Further, it would eliminate the need to substitute alternates in the event any juror was exposed to COVID or otherwise became ill. If last year was any indication, Thanksgiving week is a likely time for COVID to spike due to high-volume travel, students returning home from college, and friends and families congregating. Even an exposure to the virus during the holidays can necessitate a prospective juror to quarantine for a time period past November 29.

During the conference, the government pressed for November 19 because it wanted to have a firm start date for witnesses coming from out of state. November 29 is the firm start date and openings will commence following exercise of challenges and the swearing in of the jury. The government appears

more focused on unfounded inconvenience to its witnesses above prudence in seating a jury that can be fair and impartial. It is but another effort by the government to seek an undue and unreasonable advantage and it should not be countenanced.

Very truly yours,

/s/

BOBBI C. STERNHEIM

cc: Government Counsel